IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 22ND JANUARY 2007 / 2ND MAGHA 1928

Bail Appl..No. 316 of 2007()

Crime No.167/06 of Iritty Police Station
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: PETITIONER/1ST ACCUSED

VILANGERI SANKARAN,
S/O.KUNHIRAMAN, DEEPAK, KEEAHUR AMSOM,
METHALA PUNNAD DESOM, THALASSERY TALUK,
KANNUR DT.

BY ADV. SRI.S.RAJEEV

RESPONDENT: COMPLAINANT

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM
(CRIME NO.167/06 OF IRITTY POLICE STATION).

BY PUBLIC PROSECUTOR SHRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No.316 of 2007

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Dated this the 22nd day of January, 2007.

ORDER

Petitioner, who is the first accused in Crime No.167 of 2006 of Iritty Police Station for offences punishable under Sections 143, 147, 120(b), 148 and 303 read with Section 149 I.P.C. and Section 3 and 5 of Explosive Substance Act, 1908 and Section 25(1)(a) of Arms Act,1959, seeks his enlargement on bail.

2. The occurrence took place at about 9.15 p.m. on 13.6.2006 during the course of which the deceased was fatally attacked with sword, Axe, iron rods, country bombs, etc and he succumbed to his injuries on the spot. The petitioner was arrested on 10.11.2006 and ever since then, he is in remanded custody.

3. Even though the learned Public Prosecutor opposed the application submitting inter alia that tense situation still prevails in that area and that the life of the petitioner himself is in peril, having regard to the facts and circumstances of the case and the duration of judicial custody of the petitioner, I am inclined to grant bail to the petitioner safeguarding the interest of the prosecution as well. Accordingly, the petitioner is directed to be released on bail on his executing a bond

for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Mattannur and subject to the following conditions:

1. The petitioner shall not enter the limits of Iritty Police Station except for the purpose of complying with condition No.2.

2. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

3. The petitioner shall make himself available for interrogation as and when required by the Police till the filing of the final report.

4. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

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